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OFFICE OF PETITIONS

In re Application of :
Kjorling, et al. :
Application No. 09/987,475 :
Filed: November 14, 2001 :
Attorney Docket No. 0226-0111P :

This is a decision on the petition under 37 CFR 1.55(a)(2), filed November 9, 2005, for entry of priority papers submitted on the date the issue fee was paid.

The petition is **granted**.

Receipt of papers submitted under 35 U.S.C. § 119 is acknowledged.

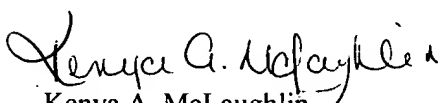
The priority papers are accepted as timely filed and have been placed of record in the file.

Petitioner is advised that the rule affecting the submission of a claim for priority of a certified priority document under 37 CFR 1.55(a) was changed effective November 7, 2000. In effect, the Office will permit applicants to file a priority claim or certified priority document with the processing fee set forth in 37 CFR 1.17(i) between the date the issue fee is paid and the date a patent is issued. The Office will however, merely place such submission in the application file but will not attempt to determine whether the applicant has met the conditions of 35 U.S.C. § 119(a)-(d) to make the priority claim information in the text of the patent. In such a situation, the patent will not contain the priority claim information. In such an event, the patentee may request a certificate of correction under 35 U.S.C. § 255 and 1.323 and a determination of entitlement for such priority will be made after the patent is granted. See Federal Register Vol. 65, No. 175, September 8, 2000, page 54622.

Nevertheless, since the petition under 37 CFR 1.55(a) is now before the deciding official, a favorable decision has been rendered. However, if the printing of the patent has progressed to the point where the priority data cannot be included on the printed patent, petitioner may request a certificate of correction pursuant to the provisions of 37 CFR 1.323 and pay the required fee of \$100.00

Any questions concerning this decision on petition should be directed to the undersigned at (571)272-3222. Any questions concerning the issuance of this application into a patent should be directed to Customer Services at (571) 272-4200.

This matter is being referred to the Publishing Division.


Kenya A. McLaughlin
Petitions Attorney
Office of Petitions